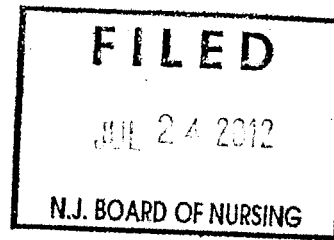


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

_____	:	
IN THE MATTER OF THE SUSPENSION :	:	Administrative Action
OR REVOCATION OF THE LICENSE OF :	:	
	:	
Shawn K. Lee, L.P.N. :	:	CONSENT ORDER FOR
License No. 26NP05130500 :	:	REINSTATEMENT OF LICENSE
	:	
TO PRACTICE NURSING IN THE :	:	
STATE OF NEW JERSEY :	:	
_____	:	

This matter was most recently opened to the New Jersey State Board of Nursing ("the Board") upon receipt of an application from Shawn K. Lee ("Respondent") for reinstatement of his license to practice nursing in this State. Pursuant to a Final Order of Discipline filed on June 16, 2010, Respondent's license was suspended, until such time as he responded to a Board inquiry concerning his April 2009 arrest on four charges of possession of controlled dangerous substances and one charge

of possession of drug paraphernalia. A civil penalty of \$200.00 was also imposed.

In response to the Final Order of Discipline, Respondent provided a copy of the criminal complaint and disposition of charges, which showed that Respondent was found guilty of prowling in a public place with the purpose to obtain or sell controlled dangerous substances, N.J.S.A. 2C:33-2.1(b), a disorderly persons offense, and fined and assessed costs/fees of \$1,101.00. In addition, Respondent explained that the drugs found by the police in his car did not belong to him and, unbeknownst to him, were put in his car by a friend to whom he had lent his car. Respondent stated that he does not use drugs and that he would be willing to submit to drug testing on a regular basis to prove it.

Respondent, being desirous of resolving this matter without the necessity of further formal proceedings, and agreeing to waive any right to same, and the Board having determined that this Order is sufficiently protective of the public health, safety and welfare, and all parties agreeing to the terms of this Order;

ACCORDINGLY, IT IS on this 24<sup>th</sup> day of July, 2012,  
ORDERED AND AGREED THAT:

1. A public reprimand is hereby imposed upon Respondent

for the conduct and conviction described herein, a violation of N.J.S.A. 45:1-21(f).

2. A civil penalty in the amount of \$250.00 is hereby imposed on Respondent for his violation of N.J.S.A. 45:1-21(f). Payment shall be in the form of a certified check or money order made payable to the "State of New Jersey" and shall be submitted contemporaneously with this signed Order.

3. Respondent shall pay costs previously imposed by the Final Order of Discipline, in the amount of \$200.00, and shall include the payment with his submission of this signed Order.

4. Respondent shall enroll in, and comply with, all of the terms and conditions of participation in the Recovery and Monitoring Program of New Jersey ("RAMP"). Respondent shall cause RAMP to inform the Board in writing if Respondent is non-compliant with, or is terminated from or resigns from further participation in the program together with the reason for and complete documentation of the non-compliance, termination and/or resignation. Notification of the Board shall be within 24 hours of determination of non-compliance, termination or resignation, or as soon thereafter as is practicable. Respondent shall provide RAMP's Director with a complete copy of the within Order.

5. Respondent's license shall be reinstated following his

provision to the Board of the following, which shall all be to the satisfaction of the Board:

- a. Proof of successful completion of all application requirements including a criminal history background check with results that are satisfactory to the Board and payment of all reinstatement fees;
- b. Documentation of completion of thirty (30) continuing education credits;
- c. Documentation providing RAMP confirmation that Respondent is fit and competent to practice nursing and RAMP's endorsement of Respondent's application for reinstatement.

6. After Respondent has complied with the above requirements, Respondent's license to practice nursing shall be reinstated subject to the conditions set forth below.

7. Respondent shall refrain from the use of any and all potentially addictive substances except as prescribed by an authorized health care practitioner who is made aware of Respondent's substance abuse history. Respondent shall report any such use to RAMP in writing within five days of receiving such a prescription together with the name of the prescribing health care practitioner, the name of the drug, the quantity, frequency, expected length of use and reason for its use.

8. Respondent shall provide a release to RAMP allowing RAMP to provide pertinent reports, records and other information pertaining to Respondent to the Board. Respondent's signature on

this Order signifies Respondent's waiver of any right to confidentiality with respect to these matters, and Respondent's agreement that the Board may utilize any such reports, records and other information it receives from RAMP in any proceeding regarding Respondent's licensure and that the Board may release any pertinent information in its possession to RAMP.

9. Respondent shall attend regular 12 step support group meetings or the equivalent, and nurse peer support group meetings, if required by RAMP. He shall attend individual counseling and/or psychiatric treatment until successful discharge, if required by RAMP.

10. Respondent shall submit to random observed urine or hair testing if required by RAMP. Respondent's failure to submit to or provide a urine sample when requested shall be deemed to be a violation of the terms of this Order. All random alcohol and drug screens shall be negative for the presence of alcohol or drugs, unless the drugs detected by screening were properly taken pursuant to a valid prescription from a health care practitioner aware of respondent's substance abuse history. All positive results shall be confirmed by the Gas Chromatograph Mass Spectrometer (GC/MS) testing method. Chain of custody documentation must accompany all laboratory reports and/or the laboratory reports must indicate that chain of custody

procedures have been followed.

11. Respondent shall work only in settings approved by RAMP, and shall have access to or responsibility for administering, dispensing or ordering potentially addictive substances in the course of his employment, only if approved by RAMP. He shall not work more than 12 hours (excluding any additional time needed to meet documentation requirements) within any 24 hour period nor more than 40 hours per week (excluding any additional time needed to meet documentation requirements), unless approved by RAMP. Respondent shall refrain from nursing employment if required by RAMP, and shall petition the Board in writing to place his nursing license in inactive status if so required by RAMP.

12. Respondent shall provide to RAMP any and all reports required pursuant to his RAMP contract, including reports from his employer or self-assessment reports.

13. Respondent shall notify RAMP within 10 days of any change of address, or any termination, resignation or leave of absence from any place of nursing employment.

14. Respondent shall immediately inform each employer representative and nursing supervisor of the terms of this Order and provide them with a copy of the Order. Respondent shall ensure that each employer representative and nursing supervisor

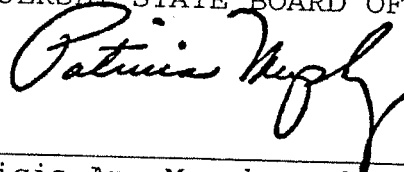
provides written notification on facility letterhead to RAMP acknowledging receipt of a copy of the within Order and its terms.

15. Respondent shall remain in RAMP until successful completion of the program. Upon successful completion of RAMP, Respondent shall notify the Board in writing. Upon receipt of written notification from the Board, Respondent may then be released from the requirements of this Order, without further order of the Board. Unless Respondent has successfully completed RAMP, and received written notification from the Board that she is released from the requirements of this Order, Respondent may not modify the conditions of this Order without submitting a written petition to the Board providing a detailed explanation of the basis for the modification request, and must then enter into a new, modified agreement with the Board in the event the Board grants Respondent's petition for modification.

16. Any deviation from the terms of this Order without the prior written consent of the Board shall constitute a failure to comply with the terms of this Order. Upon receipt of any reliable information indicating that Respondent has violated any term of this Order, Respondent's license may be automatically suspended by the Board. Respondent, upon notice, may request a hearing to contest the entry of such an order. At any such

hearing, the sole issue shall be whether any of the information received regarding respondent was materially false. In addition, the Board reserves the right to bring further disciplinary action.

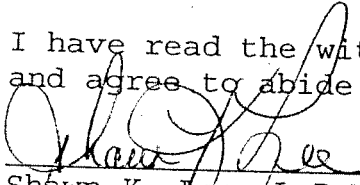
NEW JERSEY STATE BOARD OF NURSING



By:

Patricia Ann Murphy, PhD, APN  
President

I have read the within Order  
and agree to abide by its terms.

  
Shawn K. Lee, L.P.N.

6.1.12  
Date